

AN ORDINANCE amending the Thoroughfare
Plan of the City Comprehensive ("Master")
Plan by vacating an alley thereof.

WHEREAS, a petition to vacate a dedicated utility easement within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a dedicated utility easement within the City of Fort Wayne, more specifically described as follows, to-wit:

Part of the easement for utility purposes established in Wiebke's Homestead Addition, Section "A", the plat of which is recorded in Plat Record 11, page 24 in the Office of the Recorder of Allen County, Indiana, said easement being 8 feet in width and said part being more particularly described as follows, to wit:

The South 4 feet of Lot #15, except the West 39 feet thereof, together with the South 4 feet of Lots #16, #17, and #18, all in said Wiebke's Homestead Addition, Section "A", also together with the North 4 feet of Lot #39, except the West 14 feet thereof, together with the North 4 feet of Lots #40, #41 and #42 all in said Wiebke's Homestead Addition, Section "A".

1 The foregoing description is that part of the 8 foot
2 wide utility easement platted in Wiebke's Homestead
3 Addition, Section "A", which lies West of the West
4 right-of-way line of Beaver Avenue and East of the East
line of the 14 foot wide sewer easement established in
paragraph 9 of Document #72-00769 and East of the East
line of the 14 foot wide sewer easement established in
paragraph 10 of said Document #72-00769.

5 ALSO PROPOSED FOR VACATION are the following described
6 side lot easements established in the restrictive
covenants for Wiebke's Homestead Addition, Section "A":

7 The East 3 feet of Lot #15; the West 3 feet of Lot #16;
8 the East 3 feet of Lot #16; the West 3 feet of Lot #17;
9 the East 3 feet of Lot #17; the West 3 feet of Lot #18;
10 thence East 3 feet of Lot #39; the West 3 feet of Lot
#40; the East 3 feet of Lot #40; the West 3 feet of Lot
#41; the East 3 feet of Lot #41; the West 4 feet of Lot
#42; the South 3 feet of Lot #42; the West 4 feet of
Lot #43; the North 3 feet of Lot #43.

11 Part of the easement for utility purposes established
12 in Wiebke's Homestead Addition, Section "A", the plat
13 of which is recorded in Plat Record 11, page 24 in the
14 Office of the Recorder of Allen County, Indiana, said
easement being 8 feet in width and said part being more
particularly described as follows, to wit:

15 The South 4 feet of Lot #15, except the West 39 feet
16 thereof, together with the South 4 feet of Lots #16,
17 #17, and #18, all in said Wiebke's Homestead Addition,
18 Section "A", also together with the North 4 feet of Lot
#39, except the West 14 feet thereof, together with the
North 4 feet of Lots #40, #41 and #42 all in said
Wiebke's Homestead Addition, Section "A".

19 The foregoing description is that part of the 8 foot
20 wide utility easement platted in Wiebke's Homestead
21 Addition, Section "A", which lies West of the West
22 right-of-way line of Beaver Avenue and East of the East
line of the 14 foot wide sewer easement established in
paragraph 9 of Document #72-00769 and East of the East
line of the 14 foot wide sewer easement established in
paragraph 10 of said Document #72-00769.

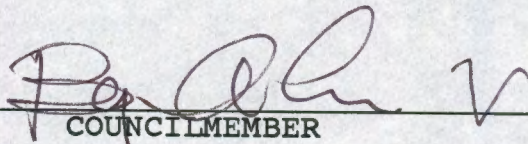
23 ALSO PROPOSED FOR VACATION are the following described
24 side lot easements established in the restrictive
covenants for Wiebke's Homestead Addition, Section "A":

25 The East 3 feet of Lot #15; the West 3 feet of Lot #16;
26 the East 3 feet of Lot #16; the West 3 feet of Lot #17;
27 the East 3 feet of Lot #17; the West 3 feet of Lot #18;
28 thence East 3 feet of Lot #39; the West 3 feet of Lot
#40; the East 3 feet of Lot #40; the West 3 feet of Lot
#41; the East 3 feet of Lot #41; the West 4 feet of Lot
#42; the South 3 feet of Lot #42; the West 4 feet of
Lot #43; the North 3 feet of Lot #43.

29 and which vacating amends the Thoroughfare Plan of the City
30 Comprehensive ("Master") Plan and is hereby approved in all
31
32

respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

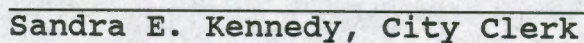

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY:



BRUCE O. BOXBERGER, CITY ATTORNEY

** Public hearing to be held on _____
the _____ day of _____ 1986,
the Council Chambers.


Sandra E. Kennedy, City Clerk

Read the first time in full and on motion by E. Stark
seconded by Steele, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, the _____ day of _____,
19____, at _____ o'clock _____ .M., E.

DATE: 3-25-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by E. Stark
seconded by Steele, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 5-13-86

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (GENERAL)
(~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. D-17-86
on the 13th day of May, 1986,

ATTEST:

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

(SEAL)

Samuel J. Talarico

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 14th day of May, 1986
at the hour of 11:00 o'clock A. .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of May
1986, at the hour of 2⁰⁰ o'clock P. .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

RECEIPT

CK #007345

No 552

COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND.,

2-13 1956

RECEIVED FROM

Ft. Wayne Bible College \$100.00

THE SUM OF

one hundred 00/100 DOLLARS

ON ACCOUNT OF

Utility Company Inc.

AUTHORIZED SIGNATURE

VACATION ORDINANCE

PETITION TO VACATE UTILITY EASEMENT

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner, does hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following dedicated utility easement, within the City of Fort Wayne, Indiana, and hereby described as follows:

See Attached Map

~~Utility easement running east and west along the south edge of Lot Number 15, except the west 25 feet thereof, and Lots Numbered 16, 17 and 18 and at the north edge of Lots Numbered 39, 40, 41 and 42 and/or all easements along the rear or sides of Lot Number 15, except the west 25 feet thereof, and Lots Numbered 16, 17, 18, 39, 40, 41, 42 and 43 where they abut one another in Wiebke's Homestead Addition, Section "A", to the city of Fort Wayne, in Allen County, Indiana, according to the Plat of said Addition, recorded in Plat Record 11, page 24 in the office of the Recorder of said County.~~

In support thereof, your petitioner would represent as follows:

1. That they are the only owner of the real estate bordering both sides of the easements.
2. That the easements are not necessary as ingress or egress to other properties whatsoever.
3. That said easement is unopened and unimproved except for occupancy by General Telephone of the easement at the rear of lots 15, 16, 17 and 18. Alternative right of way easement is available or can be made available to GTE, i.e. east edge of Lots Numbered 42 and 43 and continuing west just south of Lots Numbered 39, 40, 41 and 43 (presently utilized by GTE), and west edge of Lot Number 39.
4. That no other known person, firm, or corporation is interested in or affected by the requested vacation.
5. That the maintenance of said easements is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof to grant said vacation.

Your Petitioner files this petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512 in order to complete the vacation as described.

WHEREFORE, your petitioner prays that the above described easement be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS twelfth DAY OF February 1986

Adjacent Property Owner's Signature

Fort Wayne Bible College, Inc.
1025 West Rudisill Blvd.
Fort Wayne, Indiana 46807

By:

Harvey R. Bostrom
Harvey R. Bostrom - President

Petitioner's Signature

Fort Wayne Bible College, Inc.
1025 West Rudisill Blvd.
Fort Wayne, Indiana 46807

By:

Harvey R. Bostrom
Harvey R. Bostrom - President

456-2111

ZOHRAB K. TAZIAN, P.E. & L.S.
JOHN C. SAUER, L.S.
SAM L. FAUST, L.S.

zk tazian

ASSOCIATES, INC.
345 WEST WAYNE STREET
SUITE 202
FORT WAYNE, INDIANA 46802
PHONES: 219/424-3232
219/426-0003



CERTIFICATE OF SURVEY

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically stated below. Corners were perpetuated as indicated.

DESCRIPTION OF REAL ESTATE

Part of the easement for utility purposes established in Wiebke's Homestead Addition, Section "A", the plat of which is recrded in Plat Record 11, page 24 in the Office of the Recorder of Allen County, Indiana, said easement being 8 feet in width and said part being more particularly described as follows, to wit:

The South 4 feet of Lot #15, except the West 39 feet thereof, together with the South 4 feet of Lots #16, #17, and #18, all in said Wiebke's Homestead Addition, Section "A", also together with the North 4 feet of Lot #39, except the West 14 feet thereof, together with the North 4 feet of Lots #40, #41 and #42 all in said Wiebke's Homestead Addition, Section "A".

The foregoing description is that part of the 8 foot wide utility easement platted in Wiebke's Homestead Addition, Section "A", which lies West of the West right-of-way line of Beaver Avenue and East of the East line of the 14 foot wide sewer easement established in paragraph 9 of Document #72-00769 and East of the East line of the 14 foot wide sewer easement established in paragraph 10 of said Document #72-00769.

ALSO PROPOSED FOR VACATION are the following described side lot easements established in the restrictive covenants for Wiebke's Homestead Addition, Section "A":

The East 3 feet of Lot #15; the West 3 feet of Lot #16; the East 3 feet of Lot #16; the West 3 feet of Lot #17; the East 3 feet of Lot #17; the West 3 feet of Lot #18; thence East 3 feet of Lot #39; the West 3 feet of Lot #40; the East 3 feet of Lot #40; the West 3 feet of Lot #41; the East 3 feet of Lot #41; the West 4 feet of Lot #42; the South 3 feet of Lot #42; the West 4 feet of Lot #43; the North 3 feet of Lot #43.

I hereby certify on the 3rd day of March, 1986 that the above survey is correct.

Surveyed for: Fort Wayne Bible College

Survey No.:

Zohrab K. Tazian



RESOLUTION

WHEREAS, FORT WAYNE BIBLE COLLEGE, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easements in Fort Wayne, Allen County, to-wit:

Part of the easement for utility purposes established in Wiebke's Homestead Addition, Section "A", the plat of which is recorded in Plat Record 11, page 24 in the Office of the Recorder of Allen County, Indiana, said easement being 8 feet in width and said part being more particularly described as follows, to wit:

The South 4 feet of Lot #15, except the West 39 feet thereof, together with the South 4 feet of Lots #16, #17, and #18, all in said Wiebke's Homestead Addition, Section "A", also together with the North 4 feet of Lot #39, except the West 14 feet thereof, together with the North 4 feet of Lots #40, #41 and #42 all in said Wiebke's Homestead Addition, Section "A".

The foregoing description is that part of the 8 foot wide utility easement platted in Wiebke's Homestead Addition, Section "A", which lies West of the West right-of-way line of Beaver Avenue and East of the East line of the 14 foot wide sewer easement established in paragraph 9 of Document #72-00769 and East of the East line of the 14 foot wide sewer easement established in paragraph 10 of said Document #72-00769.

ALSO PROPOSED FOR VACATION are the following described side lot easements established in the restrictive covenants for Wiebke's Homestead Addition, Section "A":

The East 3 feet of Lot #15; the West 3 feet of Lot #16; the East 3 feet of Lot #16; the West 3 feet of Lot #17; the East 3 feet of Lot #17; the West 3 feet of Lot #18; thence East 3 feet of Lot #39; the West 3 feet of Lot #40; the East 3 feet of Lot #40; the West 3 feet of Lot #41; the East 3 feet of Lot #41; the West 4 feet of Lot #42; the South 3 feet of Lot #42; the West 4 feet of Lot #43; the North 3 feet of Lot #43. That portion of Warren Street running South from Pennsylvania Street to the South line of vacated McDonald Street, also being the North line of the Wabash Railroad right-of-way,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on July 15, 1985, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easements.

WHEREAS, said vacation of dedicated utility easements has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easements hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

~~Melvin O. Smith~~
~~Secretary~~

RESOLUTION 76-39-9

WHEREAS, FORT WAYNE BIBLE COLLEGE has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easements situated in Fort Wayne, Allen County, to-wit:

Part of the easement for utility purposes established in Wiebke's Homestead Addition, Section "A", the plat of which is recorded in Plat Record 11, page 24 in the Office of the Recorder of Allen County, Indiana, said easement being 8 feet in width and said part being more particularly described as follows, to wit:

The South 4 feet of Lot #15, except the West 39 feet thereof, together with the South 4 feet of Lots #16, #17, and #18, all in said Wiebke's Homestead Addition, Section "A", also together with the North 4 feet of Lot #39, except the West 14 feet thereof, together with the North 4 feet of Lots #40, #41 and #42 all in said Wiebke's Homestead Addition, Section "A".

The foregoing description is that part of the 8 foot wide utility easement platted in Wiebke's Homestead Addition, Section "A", which lies West of the West right-of-way line of Beaver Avenue and East of the East line of the 14 foot wide sewer easement established in paragraph 9 of Document #72-00769 and East of the East line of the 14 foot wide sewer easement established in paragraph 10 of said Document #72-00769.

ALSO PROPOSED FOR VACATION are the following described side lot easements established in the restrictive covenants for Wiebke's Homestead Addition, Section "A":

The East 3 feet of Lot #15; the West 3 feet of Lot #16; the East 3 feet of Lot #16; the West 3 feet of Lot #17; the East 3 feet of Lot #17; the West 3 feet of Lot #18; thence East 3 feet of Lot #39; the West 3 feet of Lot #40; the East 3 feet of Lot #40; the West 3 feet of Lot #41; the East 3 feet of Lot #41; the West 4 feet of Lot #42; the South 3 feet of Lot #42; the West 4 feet of Lot #43; the North 3 feet of Lot #43.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated utility easements has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easements hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easements hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of

said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:
COUNTY OF ALLEN)

I, David J. Kiester, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held April 9, 1986 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 9th DAY OF April 1986

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester

David J. Kiester
Director of Public Works

Cosette R. Simon
Director of Administration & Finance

Lawrence D. Consalvos
Lawrence D. Consalvos
Director of Public Safety

FACT SHEET

G-86-03-21

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment

APPROVAL DEADLINE**REASON****DETAILS****Specific Location and/or Address**

Utility easements bounded by Rudisill,
Foster Parkway & Beaver; running
240 feet west of Beaver

Reason for Project

To allow for new construction.

Discussion (Including relationship to other Council actions)17 March 1986 - Public Hearing

Dean Grabill, representing the petitioners stated that the reason for the requested vacations is in order to allow for construction of a new building.

Duane Embury stated that he had requested a certified survey be submitted to the Commission showing the utilities in relation to the property. Mr. Embury further stated that there are two existing storm sewers that traverse across the middle of the property. He stated that as a part of the new construction they will have to relocate the sewers or make them private.

It was pointed out by the petitioners that only one of the sewers is affected by the new construction.

Mr. Embury questioned if the 15" storm sewer to the north would be involved.

The petitioners stated that it would not.

POSITIONS**Sponsor**

City Plan Commission

Area Affected

City Wide

Other Areas

**Applicants/
Proponents****Applicant(s)**

Fort Wayne Bible College

City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

**Staff
Recommendation**☒ For ☐ Against

Reason Against

**Board or
Commission
Recommendation**

By

☒ For ☐ Against
☐ No Action Taken☐ For with revisions to conditions
(See Details column for conditions)**CITY COUNCIL
ACTIONS
(For Council
use only)**☐ Pass ☐ Other☐ Pass (as amended) ☐ Hold☐ Council Sub. ☐ Do not pass

DETAILS

Duane Embury questioned if they had made arrangements to relocate the storm sewer to the south that is affected by the new construction.

Mr. Grabill stated that it was his understanding that they had.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

24 March 1986 - Business Meeting

Of the 9 members present 8 voted in favor of returning the ordinance to Common Council with a DO PASS recommendation, 1 did not vote, the motion carried.

POLICY/PROGRAM IMPACT

Policy or
Program
Change

☐ No

☐ Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 13 February 1986

Projected Completion or Occupancy

Date 3 April 1986

Fact Sheet Prepared by
Patricia Biancaniello

Date 3 April 1986

Reviewed by

Date

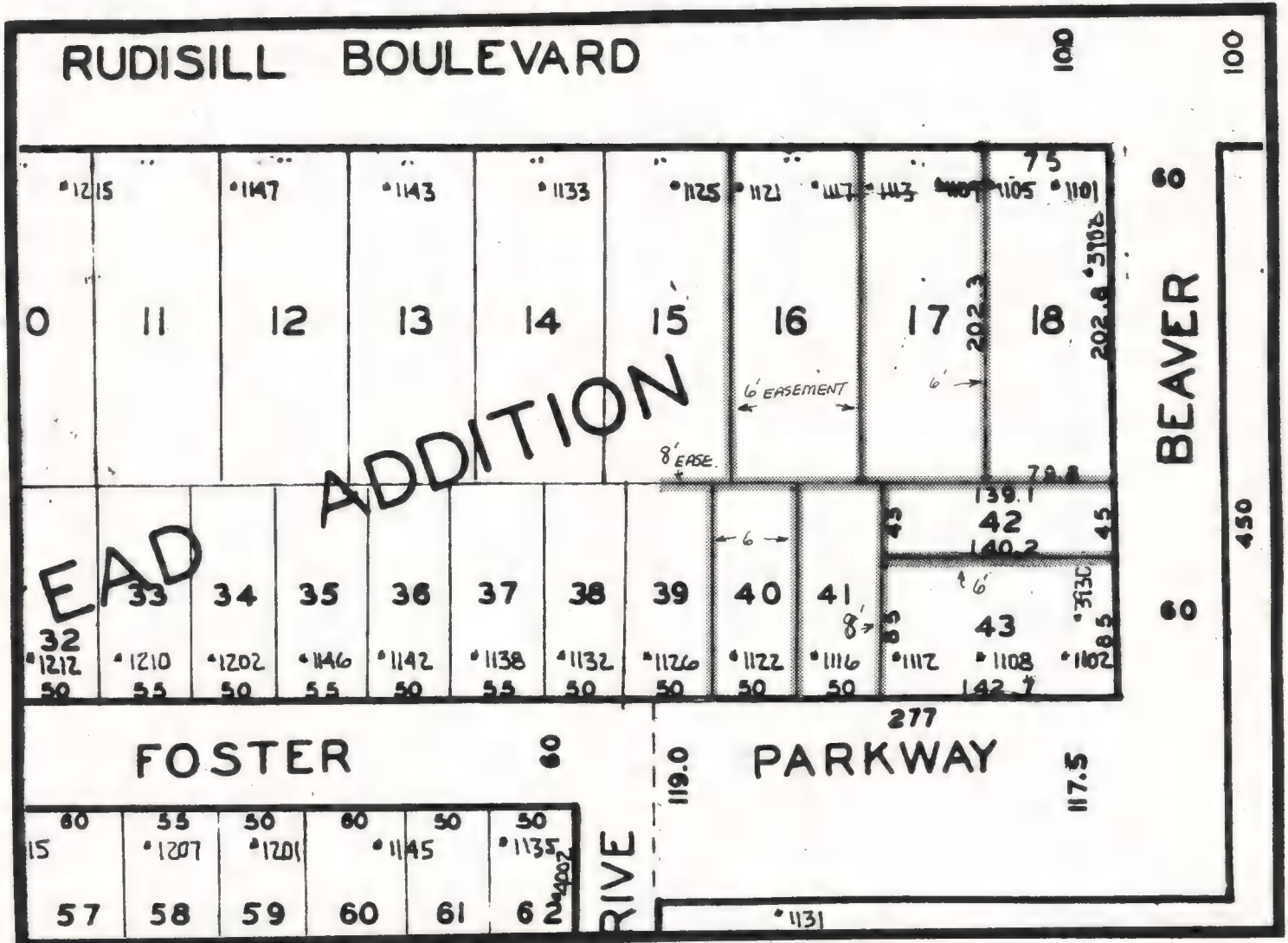
Reference or Case Number

VACATION PETITION #185

A PETITION TO VACATE THE DESCRIBED DEDICATED UTILITY EASEMENT.

MAP NO. K-11

COUNCILMANIC DISTRICT NO. 5



ZONING:

RI RESIDENTIAL DISTRICT

LAND USE:

SINGLE FAMILY

SCALE: 1"=100'

DATE: 2-27-86



PETITIONER AGENT: Fort Wayne Bible College
Harvey Bostrum / 1025 W. Rudisill Bl / City 07

Take legal from ordinance.



The City of Fort Wayne

April 23 , 1986

Fort Wayne Bible College
Harvey Bostrum
1025 W. Rudisill Blvd.
Fort Wayne, IN 46807

NOTICE OF PUBLIC HEARING ON BILL NO. G-86-03-21

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, May 13, 1986, at 7:00 P.M., in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Utility Easement Vacations for Fort Wayne Bible College off of Beaver, Foster Parkway and West Rudisill Blvd. Reason - to allow for new construction.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Fort Wayne Common Council

Sandra E. Kennedy
City Clerk



The City of Fort Wayne

April 23, 1986

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of April 28, 1986, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-86-03-21)
Utility Easement Vacation

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

NOTICE OF PUBLIC HEARING

FORT WAYNE COMMON COUNCIL

(BILL NO. G-86-03-21)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, May 13, 1986, at 7:00 P.M. (EST) in Room 128 - Common Council Conference Room, City-County Building, One Main Street, Fort Wayne, Indiana more particularly described as follows:

Utility easements bounded by Rudisill, Foster Parkway & Beaver; running 240 feet west of Beaver - to allow for new construction.

Part of the easement for utility purposes established in Wiebke's Homestead Addition, Section "A", the plat of which is recorded in Plat Record 11, page 24 in the Office of the Recorder of Allen County, Indiana, said easement being 8 feet in width and said part being more particularly described as follows, to wit:

The South 4 feet of Lot #15, except the West 39 feet thereof, together with the South 4 feet of Lots #16, #17, and #18, all in said Wiebke's Homestead Addition, Section "A", also together with the North 4 feet of Lot #39, except the West 14 feet thereof, together with the North 4 feet of Lots #40, #41 and #42 all in said Wiebke's Homestead Addition, Section "A".

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ALSO PROPOSED FOR VACATION are the following described side lot easements established in the restrictive covenants for Wiebke's Homestead Addition, Section "A":

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Part of the easement for utility purposes established in Wiebke's Homestead Addition, Section "A", the plat of which is recorded in Plat Record 11, page 24 in the Office of the Recorder of Allen County, Indiana, said easement being 8 feet in width and said part being more particularly described as follows, to wit:

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ALSO PROPOSED FOR VACATION are the following described side lot easements established in the restrictive covenants for Wiebke's Homestead Addition, Section "A":

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		
Head	number of lines	3
Body	number of lines	79
Tail	number of lines	3
Total number of lines in notice		85

COMPUTATION OF CHARGES

85	1	85	.300¢	25.50
lines		columns wide equals	equivalent lines at	\$
cents per line				
Additional charge for notices containing rule or tabular work (50 per cent of above amount)				
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra 1.00				
TOTAL AMOUNT OF CLAIM				\$ 26.50

DATA FOR COMPUTING COST

**NOTICE OF PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-86-03-21)**

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, May 13, 1986, at 7:00 P.M. (EST) in Room 128 - Common Council Conference Room, City-County Building, One Main Street, Fort Wayne, Indiana more particularly described as follows:

Utility easements bounded by Rudisill, Foster Parkway & Beaver; running 240 feet west of Beaver - to allow for new construction.

Part of the easement for utility purposes established in Wiebke's Homestead Addition, Section "A", the plat of which is recorded in Plat Record 11, page 24 in the Office of the Recorder of Allen County, Indiana, said easement being 8 feet in width and said part being more particularly described as follows, to wit:

The South 4 feet of Lot 15, except the West 39 feet thereof, together with the South 4 feet of Lots 16, 17, and 18, all in said Wiebke's Homestead Addition, Section "A", also together with the North 4 feet of Lot 39, except the West 14 feet thereof, together with the North 4 feet of Lots 40, 41 and 42, all in said Wiebke's Homestead Addition, Section "A".

The foregoing description is that part of the 8 foot wide utility easement platted in Wiebke's Homestead Addition, Section "A", which lies West of the West right-of-way line of Beaver Avenue and East of the East line of the 14 foot wide sewer easement established in paragraph 9 of Document 72-00769 and East of the East line of the 14 foot wide sewer easement established in paragraph 10 of said Document 72-00769.

ALSO PROPOSED FOR VACATION are the following described side lot easements established in the restrictive covenants for Wiebke's Homestead Addition, Section "A":

The East 3 feet of Lot 15; the West 3 feet of Lot 16; the East 3 feet of Lot 16; the West 3 feet of Lot 17; the East 3 feet of Lot 17; the West 3 feet of Lot 18; the East 3 feet of Lot 39; the West 3 feet of Lot 40; the East 3 feet of Lot 40; the West 3 feet of Lot 41; the East 3 feet of Lot 41; the West 4 feet of Lot 42; the South 3 feet of Lot 42; the West 4 feet of Lot 43; the North 3 feet of Lot 43.

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All interested parties are invited to appear and be heard.

Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

12.5 picas Size of type 6 point
1 Size of quad upon which type is cast 6
Ch. 89., Acts 1967.
is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time the dates of publication being as follows: 4/28/86

Subscribed and sworn to me before this 28th day of April 19 86
Shelley R. LaRue (Notary Public)
My commission expires March 3, 1990

Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	3
Body	number of lines	79
Tail	number of lines	3
Total number of lines in notice		85

COMPUTATION OF CHARGES

85	1	85	.300¢	25.50
lines, columns wide equals equivalent lines at cents per line				
Additional charge for notices containing rule or tabular work (50 per cent of above amount)				
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra				1.00
TOTAL AMOUNT OF CLAIM				26.50

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 1	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose
Date Apr. 28 19 86 Title CLERK

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

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Game-winning RBI - Chicago 2, Montreal 1, Chicago 2, 1; Chicago 5, 2B - Law 2; Bostoney, Brooks, Dun HR - Raines (2), JDavis Spier (1), Brooks (4), Montreal 1P
McGaffigan pitched to 1/2
T-301, A-30, 825
ASTROS 6, CINCINNATI
HOF
abf h m
Dor 4 0 1 0
CR 0 0 0 0
CR 4 0 0 0
Haf 4 0 1 0
GD 3 0 0 0
Bas 4 0 2 0
Bell 3 0 0 0
B Diaz c 2 0 0 0
Oesler 2b 3 0 0 0
Denny p 1 0 0 0

3 feet of Lot 18; thence East 3 feet of Lot 39; the West 3 feet of Lot 40; the East 3 feet of Lot 40; the West 3 feet of Lot 41; the East 3 feet of Lot 41; the West 4 feet of Lot 42; the South 3 feet of Lot 42; the West 4 feet of Lot 43; the North 3 feet of Lot 43.
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Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

Fort Wayne Common Council
(Governmental Unit)
Allen
County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

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Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

12.5 picas

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Ch. 89., Acts 1967.

36

Size of type 6 point

Size of quad upon which type is cast 6

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Drusilla Roose

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says

that he/she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for one time, the dates of publication being

as follows: 4/28/86

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Shelley R. LaRue Notary Public

March 3, 1990

My commission expires

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(Governmental Unit)
Allen
County, IN

To NEW-SENTINEL Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

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Date Apr. 28 19 86 Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows: 4/28/86

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Shelley R. LaRue Notary Public
March 3, 1990

My commission expires

Fort Wayne Common Council
Sandra E. Kennedy
City Clerk

ORIGINAL

Admn. Appr. _____

COUNCILMANIC DISTRICT No. 5

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Easement Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

5-86-03-21

SYNOPSIS OF ORDINANCE Utility Easement Vacations for Fort Wayne Bible College
off of Beaber, Foster Parkway and West Rudisill Blvd.

EFFECT OF PASSAGE Property is presently dedicated utility easements.

Property will be vacated and revert to adjacent property owners.

EFFECT OF NON-PASSAGE Property will remain dedicated utility easements.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

BILL NO. G-86-03-21

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) amending the Thoroughfare
Plan of the City Comprehensive ("Master") Plan by vacating an
alley thereof

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) XXXXXXXXXX UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(~~RESOLUTION~~)

YES

NO

B. A. Eisbart
BEN A. EISBART
CHAIRMAN

Janet G. Bradbury
JANET G. BRADBURY
VICE CHAIRWOMAN

D. J. Schmidt
DONALD J. SCHMIDT

Thomas C. Henry
THOMAS C. HENRY

Charles B. Redd
CHARLES B. REDD

CONCURRED IN 5-13-86

SANDRA E. KENNEDY
CITY CLERK